

67,108-196
Gopalakrishnan 6-4-6-7-15-10REMARKS

Applicant thanks the Examiner for the remarks and analysis contained in the most recent Office Action. Claim 1 is amended above in view of the Examiner's comments and the rejection under 35 U.S.C. §112. Applicant respectfully submits that claim 1, as amended, is entirely consistent with the specification. The text beginning at line 21 on page 4 and continuing to at least line 9 of page 5 discusses mapping transport format combination indication signaling into a number of packet data units transmitted to a wireless unit. The rate information (RI) and the transport channel (TrCH) identity (index *i*) discussed on page 4 of the specification are examples of transport format combination indication signaling information. Therefore, the language in claim 1 for mapping a plurality of transport format combination indication signaling information into a number of packet data units is supported and consistent with the specification.

Applicant respectfully submits that claims 1 and 2 are not obvious under 35 U.S.C. §103. Even if the combination of *Shiu, et al.* and *Sepponen, et al.* could be made, the result is not the same as the claimed invention. Neither reference discloses a mapping technique as recited in claim 1.

Applicant respectfully challenges whether the *Sepponen, et al.* reference includes subject matter having an early enough filing date to qualify as prior art against Applicant's claims as applied by the Examiner. Applicant notes that the provisional filing date of June 26, 2000 for the *Sepponen, et al.* reference is prior to Applicant's filing date but Applicant has not been provided with a copy of that provisional application so that Applicant can ascertain whether the text of the provisional application included the subject matter relied upon by the Examiner from the *Sepponen, et al.* reference when making the rejection under 35 U.S.C. §103. Applicant

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respectfully requests a copy of that provisional application so that Applicant can determine whether that subject matter is entitled to a filing date early enough to constitute subject matter that is available as prior art under 35 U.S.C. §102(e). In order words, Applicant respectfully submits that the *Sepponen, et al.* reference cannot be considered prior art under 35 U.S.C; §102(e) without providing Applicant with a copy of the provisional application that is the only document having an early enough filing date for that reference to possibly qualify as prior art under 35 U.S.C. §102(e).

Applicant respectfully submits that this case is in condition for allowance. If the Examiner believes that a telephone conference will facilitate moving this case forward toward being issued, Applicant's representative will be happy to discuss any issues regarding this application and can be contacted at the telephone number indicated below.

Respectfully submitted,

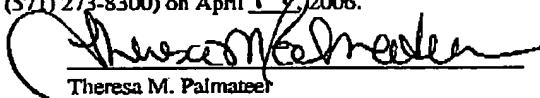
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Dated: April 14, 2006**CERTIFICATE OF FACSIMILE**

I hereby certify that this Response relative to Application Serial No. 09/716,104 is being facsimile transmitted to the Patent and Trademark Office (Fax No. (571) 273-8300) on April 14, 2006.


Theresa M. Palmateer

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